

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-21 will be pending. By this amendment claims 1, 9, 12, 14, and 15 have been amended. No new matter has been added.

Objections to the Specification

In Sections 7-9 of the Office Action, the Examiner has objected to the Specification for informalities. The Specification, including the title, has been appropriately amended.

Objections to Claims 1 and 14

In Sections 10 and 11 of the Office Action, the Examiner has objected to claims 1 and 14 for informalities. Claims 1 and 14 have been amended to obviate the objection.

§112 Rejection of Claim 1

In Section 13 of the Office Action, the Examiner has rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 1 has been amended to obviate the rejection.

§102 Rejection of Claims 1-5, 14-21, and 30-32

In Section 16 of the Office Action, the Examiner has rejected claims 1-18, 20, and 21 under 35 U.S.C. §102(b) as being anticipated by Vaudreuil (U.S. Patent No. 5,740,230). Claims 1, 12, and 15 have been amended to address the rejection.

In the Background section of the Specification, it was disclosed that “[i]n view of the above-captioned prior art it is the object of the present invention to provide for a technique capable of unified (multimedia) instant messaging. [In] other words, the invention should provide a technique for the nearly real-time transfer of multimedia messages and a processing of these messages through a flexible distributed system.” *Background of the Specification, page 2, lines 9-13.*

To address the above-described objective, embodiments of the present invention provide a capability to transmit messages over a multimedia network from a sending client to a target client. For example, the structure of system claim 1, as presented herein, includes:

“a plurality of message gateways (3, 7, 8), each message gateway (3, 7, 8) being configured for the reception and/or transmission over at least one dedicated transfer medium, and a message broker (1) connected to the message gateways (3, 7, 8) and being provided with a client database (2),

wherein a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1), the message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and the supplied message and/or an information extracted thereof, and the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1), and

wherein *messages include a read count and a maximum read count to limit the number of message forwards to the maximum read count value.*” (*emphasis added*)

Therefore, the messages transmitted over the multimedia network includes a read count

and a maximum read count value to limit the maximum reads of a message such that the number of message forwards can be limited to the maximum read count value. The maximum read count is intended to be used for copy protection issues and for controlling the effect of message chain letters. Furthermore, since the instant message broker (IMB) is in charge of a message confidentiality pay-per-read functionality, the functionality can be realized by using a secure instant message read count.

Vaudreuil, however, fails to teach or suggest providing messages transmitted over the multimedia network to include a read count and a maximum read count value to limit the maximum reads of a message such that the number of message forwards can be limited to the maximum read count value.

Based on the foregoing discussion, it is maintained claim 1 should be allowable over Vaudreuil. Furthermore, since independent claims 12 and 15 closely parallel, and include substantially similar limitations as, independent claim 1, claims 12 and 15 should also be allowable over Vaudreuil. Since claims 2-11, 13-14, and 16-21 depend from claims 1, 12, and 15, respectively, and claims 2-11, 13-14, and 16-21 should also be allowable over Vaudreuil.

Accordingly, it is submitted that the Examiner's rejection of claims 1-18, 20, and 21 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 19

In Section 38 of the Office Action, the Examiner has rejected claim 19 under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil in view of Yokomizo (U.S. Patent No. 6,163,796).

Based on the foregoing discussion regarding claim 15, and since claim 19 depends from claim 15, claim 19 should be allowable over Vaudreuil. Since it was indicated in Section 38 that Yokomizo discloses the limitation recited in claim 19, it is maintained that Yokomizo fails to teach or suggest the subject matter of claim 15. Therefore, it is submitted that Vaudreuil and Yokomizo, in combination or individually, fail to teach or suggest providing messages transmitted over the multimedia network to include a read count and a maximum read count value to limit the maximum reads of a message such that the number of message forwards can be limited to the maximum read count value.

Accordingly, it is submitted that the Examiner's rejection of claim 19 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-21 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

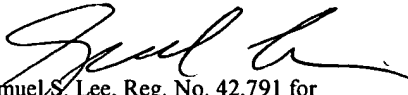
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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